

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
MINUTES OF A PUBLIC HEARING**

DATE..... December 15, 2004
 TIME..... 7:00 P.M.
 PLACE..... County Office Building
 20 N. 3RD Street
 Lafayette, IN 47901

MEMBERS PRESENT

Mark Hermodson
 Gary Schroeder
 Steve Egly
 Steve Schreckengast
 Dr. Carl Griffin
 Dave Williams
 Jeff Kessler
 Kevin Klinker
 Kathy Vernon
 KD Benson
 Mike Smith
 John Knochel
 Bob Bowman

MEMBERS ABSENT

Lynda Phebus
 Vicki Pearl

STAFF PRESENT

Sallie Fahey
 Margy Deverall
 Heather Prough
 Jay Seeger, Atty.
 Bianca Bullock

The Area Plan Commission of Tippecanoe County Public Hearing was held on the 15th of December, at 7:00 P.M., pursuant to notice given and agenda posted as provided by law.

Mark Hermodson called the meeting to order.

I. BRIEFING SESSION

Sallie Fahey informed the Commission that Item C under New Business, **RESOLUTION PD 04-32: WESTMINSTER VILLAGE PLANNED DEVELOPMENT** has been added to the agenda. She said that **S-3601 – HARRINGTON SUBDIVISION (Minor Sketch)** should be continued to the January 5, 2005 Executive Committee meeting because no letter was received from the County Health Department seven days prior to this meeting. She also mentioned **Z-2218 – REGENCY PROPERTIES, LLC (R1 to GB)** has been withdrawn by the petitioner; and **Z-2219 – JACKIE McCUE (AW to A)** should be continued to February 16, 2005 meeting at petitioner's request.

II. APPROVAL OF MINUTES

Jeff Kessler moved to approve the minutes of the November 17, 2004 meeting. Carl Griffin seconded and the motion carried by voice vote.

III. NEW BUSINESS

A. RESOLUTION T-04-8: 2005 SELF-CERTIFICATION

Greater Lafayette Area Transportation and Development Study – Self Certification
 Submission: a document demonstrating compliance with all federal regulations and professional planning practices applicable to the transportation planning effort in the Lafayette-West Lafayette-Tippecanoe County area.

Jeff Kessler moved to hear and approve the above-described resolution. Steve Schreckengast seconded.

Sallie Fahey reviewed the year's transportation planning efforts and their compliance with Federal regulations.

The Commission voted by ballot 13 yes – 0 no to approve **RESOLUTION T-04-8: 2004 SELF-CERTIFICATION.**

B. RESOLUTION T-04-9: CityBus UPWP AMENDMENT

Resolution to amend the FY2004 UPWP CityBus Planning tasks.

Jeff Kessler moved to hear and approve the above-described resolution. Steve Schreckengast seconded.

Sallie Fahey presented information regarding the proposed resolution. She said it comes at this time of the year because CityBus operates on a calendar year rather than the State's fiscal year. She explained this resolution would be an amendment to the FY '05 Work Program, which began July 1, 2004. She detailed CityBus' planning requests: mass transit surveillance, Transportation Improvement Program, customer satisfaction survey, and an economic benefits study. She said that the sum of these planning activities is project to cost \$50,725.00 and the Federal share will be \$40,580.00, with the local match of \$10,145.00, which will come from bus company revenues generated from fares, passes, tokens and local property tax. She stated that the CityBus Board of Directors authorized the filing of this amendment at their meeting on November 23, 2004. She added that staff recommends approval.

KD Benson asked if the economic benefits study would encompass the trolley's impact on downtown businesses.

Marty Sennett, CityBus, PO Box 588, Lafayette, IN, said the study will include the trolley, Purdue routes and their work with the West Lafayette School Corporation.

The Commission voted by ballot 13 yes – 0 no to approve **RESOLUTION T-04-9: CityBus UPWP AMENDMENT.**

C. RESOLUTION PD 04-32: WESTMINSTER VILLAGE PLANNED DEVELOPMENT, Phase 1 (Z-2168):

Final Detailed Plans containing final plat for a 12.399-acre expansion of Westminster Village Community that includes laundry/maintenance building lot and 38-single family lots for independent living homes. The site is located on the west side of Salisbury between Sagamore Parkway and Cumberland Avenue in West Lafayette, Wabash 7 (NW) 23-4.

Jeff Kessler moved to hear and approve the above-described request. Steve Schreckengast seconded.

Margy Deverall presented slides of the zoning map, aerial photos and preliminary plat. She highlighted the staff report with recommendation of approval.

Joseph T. Bumbleburg, PO Box 1535, Lafayette, IN, concurred with the staff report and requested approval.

The Commission voted by ballot 12 yes – 0 no and 1 abstention to approve **RESOLUTION PD 04-32: WESTMINSTER VILLAGE PLANNED DEVELOPMENT, Phase 1 (Z-2168).**

<u>Yes Votes</u>	<u>Abstain</u>
Mark Hermodson	Steve Schreckengast
KD Benson	
Dave Williams	
Gary Schroeder	
Jeff Kessler	
Kathy Vernon	
Mike Smith	
Carl Griffin	
Steve Egly	
Kevin Klinker	
John Knochel	
Bob Bowman	

IV. PUBLIC HEARING

Jeff Kessler moved that the Comprehensive Plan for Tippecanoe County, the Unified Zoning Ordinance of Tippecanoe County and the Unified Subdivision Ordinance of Tippecanoe County, Indiana, are hereby

entered by reference into the public record of each agenda item. Steve Schreckengast seconded and the motion carried by voice vote.

Mark Hermodson read the meeting procedures.

Jeff Kessler moved to continued **Z-2219 – JACKIE McCUE (AW to A)** to the February 16, 2005 Area Plan Commission public hearing and **S-3601 – HARRINGTON SUBDIVISION (Minor Sketch)** to the January 5, 2005 Executive Committee public hearing. Steve Schreckengast seconded and the motion carried by voice vote.

A. REZONING ACTIVITIES

1. Z-2208 – PRICE HILL FARMS, INC. (R1 TO I3):

Petitioner is requesting rezoning of 4.08 acres located north of CR 350 S and east of US 52, Wea 12 (NW) 22-4. CONTINUED FROM THE NOVEMBER MEETING.

Jeff Kessler moved to hear and approve the above-described request. Steve Schreckengast seconded.

Sallie Fahey presented slides of the zoning map, aerial photos, and site plan. She highlighted the staff report with recommendation of approval.

Tom Price, 3559 US 52 S, Lafayette, IN, concurred and requested approval.

Bruce Stoddard, 1800 E. Garfield Ave., Decatur, IL, recapped a history of Price & Son, Inc., and their relationship with Tate & Lyle. He explained that the company needed a new facility and this spot fit their needs. He also requested approval.

Carl Griffin asked if there would be railroad access to the site.

Bruce Stoddard answered affirmatively. He explained that the access might not be immediate, but was one of the main reasons they selected this site.

The Commission voted by ballot 13 yes – 0 no to approve **Z-2208 – PRICE HILL FARMS, INC. (R1 to I3).**

2. Z-2215– 900 PLACE, LLC. (Catherwood Gardens PD) (R1 AND R3W TO PDRS):

Petitioner is requesting rezoning of approximately 9.58 acres for a housing development with 22 detached and 30 attached single-family units. The site is located in the triangle north of the intersection of Happy Hollow and North River Road (SR 443 & SR 43, respectively) and includes property east of North River Road adjacent to the Wabash River, West Lafayette, Wabash 17 (SW) 23-4.

Jeff Kessler moved to hear and approve the above-described request. Steve Schreckengast seconded.

Margy Deverall presented slides of the zoning map, aerial photos and preliminary plat. She highlighted the staff report of approval contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than the preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per UZO Appendix B-2-2;
3. Appropriate performance bonds submitted with final detailed plans, and';
4. Plant schedule approved by the West Lafayette Greenspace Administrator;
5. Inclusion of statement on final plat with language about flood plain protection grade UZO 2-26-18(a) for homes constructed within 100' of FP zone;
6. ~~INDOT approval of the 4 shared drives shown on Happy Hollow;~~
7. "No Vehicular Access" statement platted on North River Road. Except for the INDOT approved drives, "No Vehicular Access" statement platted on Happy Hollow Road;
8. Show existing drives to be removed on sheet 4 "Site and Utility Plan";
9. Design to smooth out the manhole in private easement on north side of site (with history of blockage) as per City Engineer suggestion submitted with construction plans;

10. Vacate Catherwood Court right-of-way and plat as an outlot and utility/drainage easement;
Restrictive Covenants – The following items shall be part of the planned development's covenants made enforceable by the Area Plan Commission and irrevocable by the lot owners:

11. Page 13, inclusion of the West Lafayette Administrative Officer as a member of the Architectural Review Board;
12. Page 16 & 17, provide missing numbers related to minimum sq. ft. area for homes;
13. Inclusion of the statement under Article 14 "Amendment" concerning changes to the planned development: "Notwithstanding anything to the contrary contained herein, there shall be no amendment of the Declarations, nor any change in use or exterior design without prior approval of the Tippecanoe County Area Plan Commission through the planned development process, which includes the possibility of consideration as a minor modification by the administrative officer."

Additional Conditions – to be met prior to Final Plat approval:

14. Areas within the Row house lot outside of buildings labeled as well as noted common area;
15. Riverfront land to be deeded to WL Parks Department shown and platted as outlot(s);
16. A copy of the Articles of Incorporation for the Home Owners Association of Catherwood Gardens Planned Development, Inc, approved and filed with the Indiana Secretary of State, along with the Certificate of Incorporation;
17. Executed deed(s) transferring outlots and common area to the homeowner's association;
18. All discrepancies and inconsistencies between sections of the covenants and between the covenants and the conditions of approval shall be resolved prior to final plat approval, including, but not limited to:
 - a. Article 4 section 3(c) "Association's Rights and Obligations" and the right to deed riverfront property to the WL Parks Department,
 - b. Article 4 section 7 "Title to Common Area" and the timing of common area transfer to homeowners association,

Article 15 section 4 "Public Street" and the description of the private court as an outlot and drainage utility easement.

Andrew Gutwein, PO Box 469, Lafayette, IN, concurred with the staff report. He pointed out that the project would be all owner-occupied and will bring families into West Lafayette. He mentioned the amount of greenspace in the project will total nine acres and 95% of existing trees will remain on the site. He said the project incorporates the required 100' scenic setback. He said the Happy Hollow Home Owners Association had concerns about traffic speed and bus stops. He believes that development on Happy Hollow Road will slow down traffic and it is conducive to school bus stops. He expressed concerns regarding INDOT approval of driveways and condition #6. He explained that while INDOT has no objections to the placement of the driveways, they will not issue permits until the Final Plat is recorded.

Felice Bray, Happy Hollow Homeowners Association, 322 Hollowood Drive, stated that the association appreciated meeting with the developer. She stated they approve of the project, but are concerned with congestion on Happy Hollow Road. She explained that traffic backs up on North River Road past Happy Hollow Park and some drivers cut through on Catherwood Drive. She asked that there be a traffic light placed at Happy Hollow and North River Roads.

Mark Hermodson explained that both North River and Happy Hollow Roads are State highways, so INDOT would need to approve a traffic signal. He suggested Mrs. Bray speak to Dave Buck, the West Lafayette City Engineer, who would have the most influence over INDOT's decision.

KD Benson asked since the scenic byway is pending, will it have any affect on the setback.

Margy Deverall said the setback requirement will not change.

Sallie Fahey said that the condition does not ask for driveway permits, but rather the "No Vehicular Access" statement be platted, recorded and based on INDOT approved locations, actual driveway permits could be issued later. She said the "No Vehicular Access" could be platted, record, and get permits for the driveways.

Kevin Klinker asked if the four shared driveways are large enough so that a car may turn around in the driveway rather than backing out onto Happy Hollow Drive.

Andrew Gutwein answered that there will be a turnaround placed near the garage. He said he still has concerns about condition #6. He said he thought Sallie was speaking to condition #7.

Sallie Fahey agreed she had been speaking about #7 and said that the Commission could strike condition #6, as it cannot be met because the Commission cannot approve the Final Plat without driveway permits.

Jeff Kessler moved to delete Condition #6. Steve Schreckengast seconded and the motion carried by voice vote.

The Commission voted by ballot 13 yes – 0 no to approve **Z-2215 – 900 PLACE, LLC. (Catherwood Gardens PD) (R1 and R3W to PDRS).**

3. Z-2216– WILLIAM FLEISCHHAUER (Chauncey Townhomes PD) (R3W TO PDRS):

Petitioner is requesting rezoning of one lot for a townhouse development with 3, 2-bedroom units and adjacent surface parking. The site is located at 124-126 North Street, the northeast corner of North and Chauncey Avenue, Lot 19 Wiggins Addition, West Lafayette, Wabash 19 (NE) 23-4. *CONTINUED FROM THE NOVEMBER MEETING.*

Jeff Kessler moved to hear and vote on the above-described request. Steve Schreckengast seconded.

Margy Deverall presented slides of the zoning map, preliminary plat and 2 aerial photos. She summarized the staff report with recommendation of approval contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

- 1 All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
- 2 PD construction plans per UZO Appendix B-2-2;
- 3 Plant schedule approved by the West Lafayette Greenspace Administrator.

Paul Coutts, 1719 Monon Avenue, Lafayette, IN, concurred with the staff report and requested approval.

The Commission voted by ballot 13 yes – 0 no to approve **Z-2216 – WILLIAM FLEISCHHAUER (Chauncey Townhomes PD) (R3W to PDRS).**

4. Z-2220 – MANN PROPERTIES (Lauren Lakes) (R1 TO PDRS):

Petitioner is requesting rezoning of 231.23 acres for a mixed-density, single-family residential development with 659 lots, located on the south side of CR 500 N, between CR 50 W (County Farm Road) and CR 75 E, Wabash 32 (NW) and 31 (NE) 23-5.

Jeff Kessler moved to hear and approve the above-described request. Steve Schreckengast seconded.

Margy Deverall presented slides of the zoning map, aerial photos, proposed building elevations, and the preliminary plat. She highlighted the staff report with recommendation of approval contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section to include:

1. All sheets (other than preliminary plat) that make up the approved Preliminary Plan;
2. PD construction plans per UZO Appendix B-2-2;
3. A final plat per UZO Appendix B-3-2 and B-4 as applicable;
4. Street names approved by the post office, 911 and APC;
5. Plant schedule approved by the West Lafayette Greenspace Administrator;
6. Add cross walks where the trail continues across “S”, “C” & “M” Streets;
7. Show a “neck down” on “G” street between “M” and “J” Streets for traffic calming;

Restrictive Covenants – The following items shall be part of the planned development’s covenants made enforceable by the Area Plan Commission and irrevocable by the lot owners:

8. A no-parking restriction on K Street, the north/south collector;
9. The restriction prohibiting conversion of garage space into living space, that is also enforceable by the Administrative Officer;

10. Inclusion of the statement concerning amendments to the planned development:

"Notwithstanding anything to the contrary contained herein, there shall be no amendment of the Declarations, nor any change in use or exterior design without prior approval of the Tippecanoe County Area Plan Commission through the planned development process, which includes the possibility of consideration as a minor modification by the administrative officer."

Additional conditions to be met prior to Final Plat approval:

11. A copy of the Articles of Incorporation for the Home Owners Association of Lauren Lakes Planned Development Inc., approved and filed with the Indiana Secretary of State, along with Certificate of Incorporation.

She read the following letters into the record:

Kristy and Kelly Curry, 3 Grapevine Place, West Lafayette, IN, via email, in opposition.

Jan Mills, West Lafayette Mayor, 609 W. Navajo Street, West Lafayette, IN, in favor.

Joseph T. Bumbleburg pointed out that this Planned Development is different than the request for the R1 subdivision. He explained that this development has a density of 2.85 units per acre compared to the 3.47 units per acre of the previous Planned Development and is only for 659 lots. He stated that this plat has 22 drainage/utility and landscape easements for greenspace, accounting for 25% of the area. He mentioned that mixed-density is a pattern of land use in this area. He concurred with the staff report and requested approval.

Tim Stevens, 8653 Bash Street, Indianapolis IN, gave a presentation regarding the Planned Development. He pointed out changes to this plan from the subdivision request. He said there is ½ acre wetland space in the planned park. He also mentioned the amenities, walking trails and benefits of this Planned Development.

Daniel Teder, PO Box 280, Lafayette, IN, stated that he represents the interests of Saddlebrook Development, Winding Creek, Coyote Crossing, LLC., Creighton Development, and Tippecanoe Development, which own 600 acres surrounding the property. He described the density in the surrounding areas. He said those subdivisions have wider R1 and R1B lots with less density and concurs with surrounding property owners as to the desirability of an R1 and R1B-influenced density. He stressed the need of the Commission to be aware of citizens' concerns. He said his argument is centered on the question of what is the most desirable density for this area. He believes the easements will be used for storm water drainage, which increases the density to 4 units per acre. He said CR 500 is a rural secondary arterial. He estimated that when Winding Creek is completed, there will be in excess of 12,000 cars per day. He concluded that this development is appropriate for the area, but does not believe the high density is desirable for the County.

Brian Emmons, 5244 Grapevine Drive, West Lafayette, IN, agreed that the petitioner has made positive strides in this development as opposed to the proposed subdivision. He stressed that he is not opposed to development, but wants to make sure it is appropriate for the area. He referred to a quote from "Smart Growth and Smart Choices," noting that the magazine's editorial board is made up of members from large developers like C.P. Morgan. He explained that, per the staff report, in 1965, the Area Plan Commission decided that this area should be zoned R1 and believes the Commission should now stick with that long-term comprehensive plan. He agrees that the Planned Development has fewer lots, but the lots are small. He questioned why the developer could not create a subdivision with lots that conform to R1 zoning, along with all the amenities they are proposing.

George Hynd, 17 Grapevine Place, West Lafayette, IN, explained that he moved to Winding Creek for peace and quiet. He said he understands that his subdivision is R1 zoning, but has a sense of community. He believes rezoning would have a negative affect on his property value. He expressed concerns about the burden on the public school system, particularly Burnett Creek Elementary School. He estimated that 60% of the 659 homes would have an average of two children, which would be 780 children. He said this increase is approximately 150% of the current enrollment at Burnett Creek. He believes the Tippecanoe County School Corporation would need to build a new elementary school. He said this subdivision would ruin the quality of a Blue Ribbon school. He also pointed out this development would equal 20% of the growth anticipated in Tippecanoe County by 2010, as per the Tippecanoe County website.

Brian Pedgenowski, 5141 Gardenia Court, West Lafayette, IN, expressed his opposition to the rezoning. He feels that the density is much too great for the area. He said he was impressed with the aesthetic quality of the area when he moved to his home. He expressed concerns regarding the schools and does not believe there are any plans to address the issues that he and other residents are concerned about.

Steve Connors, 5103 Flowermound Dr, West Lafayette, IN, said he feels that this development will change the economics and will be overwhelming to the area. He said a collector system should be in place prior to dumping all the traffic on CR 500. He said the current traffic situation is very dangerous and wanted to know when the necessary improvements will be made to the roads.

Rick Biancofiori, 3720 Union Street, Lafayette, IN, explained that he is currently building a home next to the proposed development and expressed concerns regarding his property value.

Joseph T. Bumbleburg said the concerns expressed regarding the development have been previously dealt with during the planned development process. He explained that the Tippecanoe County School Corporation is one of the checkpoint agencies and had no comment on the project. He mentioned that the subdivision will be phased and the area will not see an influx of 659 homes at one time. He said that the lot has been zoned R1 for 35 years. He also mentioned that the common areas will not be solely used for drainage and are not required to be. He said that unfortunately, roads do not precede demand, but rather follow demand. He stated that a collector road is a device to handle a lot of traffic and pointed out that this development has a number of traffic calming measures, such as a roundabout. He said the developer has created this planned development with amenities and its residents in mind. He concluded by saying that he believes the opposition to this case is perhaps more about competition than development.

Steve Schreckengast asked if the developer would pay for the collector road.

Sallie Fahey said that is what staff has requested.

Sallie Fahey explained that when completed, the north-south collector will connect to Kalberer Road. She pointed out the proposed location for the east/west collector and would be built by the developer of the neighboring property.

Steve Schreckengast asked if parking is allowed on a collector road.

Sallie Fahey answered negatively.

Steve Schreckengast questioned the logic for a collector road to prohibit on-street parking and also have many driveway entrances.

Sallie Fahey said it is a residential collector, and its purpose is to collect traffic and feed it to arterials, as this one would to Kalberer and CR 500 N.

Steve Schreckengast believes that the developer of the neighboring property should pay for the road improvements and have the adjacent subdivision be built up around it.

Sallie Fahey said that staff feels it has done what he is describing. She said that people living around the collector is not likely to take a longer route to the primary arterials.

Steve Schreckengast proposed encountering the same problems that residents on Brady Lane are experiencing.

KD Benson asked for clarification as to where the Winding Creek subdivision drive exits on 500 N.

Sallie Fahey pointed out where the drive is located. She said that if a traffic light is a possibility, streets on the opposite side of the road should align, if a traffic light is not planned, they should not line up.

Kevin Klinker asked if there was any data that backed up the thought that an R1B density has more children than an R1.

Sallie Fahey said that staff figured for the Lafayette School District, two children are generated for every three single-family-homes, and one child for every five apartments. She explained there is no distinction between zones, but only apartments and single-family homes.

Kevin Klinker added that the amount of R1B zoning in the development has increased over the last plan.

Sallie Fahey pointed out that the R1 subdivision proposal was higher density than this planned development proposal.

Kevin Klinker asked if the developers were locked into creating the planned development if it is passed tonight.

Sallie Fahey responded that if the Commission passes the planned development, it will proceed with 659 lots.

KD Benson said that since the proposal is a Planned Development, it does not go through the subdivision process. She asked if there will be improvements to the roads.

Margy Deverall said that there is a provision for a future trail.

Sallie Fahey said that road improvements were not at the top of the list. She mentioned that the required right-of-way to widen CR 500 N would be dedicated as part of the planned development.

KD Benson asked who would be responsible for maintaining the common areas. She also inquired how much homeowners' association fees would be.

Joseph T. Bumbleburg answered that the Homeowners' Association fees would cover the staffing and maintenance of the common areas and amenities. He estimated \$250 per year in association fees.

The Commission voted by ballot 3 yes – 10 no to approve Z-2220 – MANN PROPERTIES (Lauren Lakes) (R1 to PDRS).

Yes Votes	No Votes
Mark Hermodson	KD Benson
Mike Smith	John Knochel
Dave Williams	Gary Schroeder
	Kathy Vernon
	Steve Schreckengast
	Steve Egly
	Kevin Klinker
	Jeff Kessler
	Carl Griffin
	Bob Bowman

5. Z-2221 – LB ASSOCIATES, INC. (R3 TO GB):

Petitioner is requesting rezoning of 27.78 acres located on the south side of CR 200 S (Haggerty Lane), north of SR 38, Wea 1 (NW) 22-4.

Jeff Kessler moved to hear and approve the above-described request. Carl Griffin seconded.

Sallie Fahey presented slides of the zoning map, aerial photos and site plan. She summarized the staff report with recommendation of approval.

Joseph T. Bumbleburg concurred with the staff report and requested approval.

The Commission voted by ballot 13 yes – 0 no to approve Z-2221 – LB ASSOCIATES, INC. (R3 to GB).

B. SUBDIVISIONS

1. S-3607 – CASCADA BUSINESS PARK (Major-Preliminary)

Petitioner is seeking primary approval for an 18-lot commercial subdivision (plus one outlot) on 27.78 acres, located on the north side of McCarty Lane, ¼ mile east of Creasy Lane, in Fairfield 25 (SW) 23-4 and 26 (SE) 23-4.

Jeff Kessler moved to hear and approve the above-described request. Steve Schreckengast seconded.

Sallie Fahey presented slides of the zoning map, aerial photos and preliminary plat. She highlighted the staff report with recommendation of approval contingent on the following:

CONSTRUCTION PLANS – The following items shall be part of Construction Plans application and approval:

1. The deed amendment for the McCarty Lane limited access adjustments shall be recorded.
2. The Post Office and 911 shall approve a new street name.
3. A temporary turnaround shall be shown at the stub end of the new street.
4. The Lafayette City Engineer shall approve the sanitary sewer, water, street and drainage plans.
5. An Erosion and Sediment Control Plan meeting the requirements of 327 I.A.C. 15-5 shall be approved by the Tippecanoe County Soil and Water Conservation District.
6. An on-site utility coordinating sheet shall be approved and signed-off by the non-government utility companies. If any of these utilities are being extended from an off-site location, this extension shall be made a part of the utility coordinating sheet.
7. The required bufferyard(s) shall be shown with the standard plant unit details. The bufferyard(s) shall be installed as part of the required public improvements.

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

8. Except for the approved entrance, a “No Vehicular Access” statement shall be platted along the McCarty Lane right-of-way line.
9. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
10. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
11. All required building setbacks shall be platted.
12. The Lafayette City corporation line shall be labeled.
13. The street addresses and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

14. The “No Vehicular Access” restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.
15. The purpose, ownership and maintenance of Outlot A shall be specified.

Daniel Teder concurred with the staff report and requested approval.

Kevin Klinker asked, since there is a residential area nearby, if there are plans to add streetlights.

Daniel Teder explained the bufferyard requirements and that this development will be a professional park, not a 24-hour retail center. He added that this will not offend property owners to the east.

The Commission voted by ballot 13 yes – 0 no to permit bonding for all public improvements.

The Commission voted by ballot 13 yes – 0 no to grant conditional primary approval to **S-3607 – CASCADA BUSINESS PARK (Major-Preliminary)**.

V. CITIZEN COMMENTS AND GRIEVANCES

None

VI. APPROVAL OF THE JANUARY EXECUTIVE COMMITTEE AGENDA

Jeff Kessler moved to place the following subdivisions, placement thereon without reference to compliance or non-compliance with the Unified Subdivision Ordinance on the January 5, 2005 Executive Committee Agenda:

S-3601 – HARRINGTON SUBDIVISION (Minor-Sketch)

S-3613 – WILDLIFE SANCTUARY (Minor-Sketch)

S-3616 – KLINKERS SUBDIVISION, REPLAT OF OUTLOT “H” (Minor-Sketch)

S-3618 – SASSAFRAS GROVE (Minor-Sketch)

Steve Schreckengast seconded and the motion carried by voice vote.

VII. DIRECTOR'S REPORT

Sallie Fahey highlighted the written directors report. She said that building permit numbers were back up in November. She stated that the goal for the amendment to the 2025 Transportation Plan is to make Purdue's campus more bike, pedestrian and mass transit-friendly. She said the website is coming along as planned and the Unified Zoning Ordinance has been converted to .pdf format. She also said that the All-Hazard Mitigation Plan is going well and the County Council has approved the transfer of \$30,000 for consultant fees.

John Knochel added that building permit revenues have exceeded \$500,000 for 2004, which is a new record.

KD Benson said that Sallie Fahey has been asked to serve on the Economic Development Corporation's working group.

Kevin Klinker asked if there has been any progress regarding a search for a new assistant director.

Sallie Fahey said that the descriptions for the two positions need to be re-written. She also added that Krista Trout-Edwards got married December 11, 2004.

Bob Bowman expressed the Town of Dayton's appreciation for the letter staff wrote to INDOT regarding the improvements on SR 38 through the town.

VIII. ADJOURNMENT

Jeff Kessler moved for adjournment. Steve Schreckengast seconded and the motion carried by voice vote.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,



Bianca Bullock
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director